UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/533
18 October 1994

ORIGINAL: ENGLISH

Forty-ninth session
Agenda item 99

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

# Convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants

## Report of the Secretary-General

1. At its forty-eighth session, the General Assembly adopted resolution 48/113 of 20 December 1993 concerning the convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants.

2. In that resolution, the General Assembly, taking into consideration the complexity and urgency of the global refugee crisis and the need for the international community to adopt a comprehensive approach for the coordination of action with regard to refugees, returnees, displaced persons and migrants, and recognizing the need to develop innovative strategies, mechanisms and decisions in that field:

(a) Took note of the proposal to convene a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants;

(b) Invited all Member States, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations and non-governmental organizations concerned to undertake reviews and submit recommendations to the Secretary-General with regard to the appropriateness of convening such a conference, taking into consideration, inter alia, the deliberations of the International Conference on Population and Development, as well as the work of the representative of the Secretary-General;

(c) Requested the Secretary-General to submit to the Assembly at its forty-ninth session a report on the recommendations received pursuant to paragraph 2 (b) above.

3. Following the adoption of the resolution, the Secretary-General requested the Office of the United Nations High Commissioner for Refugees (UNHCR) to coordinate preparation of the present report to the forty-ninth session of the General Assembly. In preparing this report UNHCR wrote to all States Members and Observers of the United Nations on 1 June 1994 to solicit their views on the convening of such a conference. A broad range of international, intergovernmental and non-governmental organizations concerned, in one form or another, with refugee issues and other aspects of population movement were also consulted.

4. By 26 September 1994, replies had been received from the following 31 Governments:

Angola, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belgium, Cameroon, Canada, China, Czech Republic, France, Germany, Holy See, Iraq, Iran (Islamic Republic of), Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Republic of Moldova, Russian Federation, Sudan, Switzerland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America.

5. In addition, the following United Nations bodies and international and intergovernmental organizations had presented their views:

United Nations Department for Policy Coordination and Sustainable Development, United Nations Industrial Development Organization, World Food Programme, United Nations Research Institute for Social Development, International Labour Organization, Food and Agriculture Organization of the United Nations, World Bank, United Nations Relief and Works Agency for Palestine Refugees in the Near East, League of Arab States, Organization of American States, Organization for Economic Cooperation and Development and International Organization for Migration.

6. Replies had also been received from the following non-governmental organizations:

CARE International, Church World Service, International Federation of Red Cross and Red Crescent Societies, International Rescue Committee and Migration and Refugee Services (United States Catholic Conference).

Responses from Governments

7. There was agreement in the responses received from Governments that there had been great changes in the scope and complexity of population movements since the adoption of the 1951 Convention relating to the Status of Refugees, that they were of global dimensions and that they posed urgent new challenges to the international community. In a world with over 23 million refugees and other persons of concern to the Office of the High Commissioner, with perhaps an even greater number of internally displaced persons, where migration has taken on

proportions unknown in previous eras, the need to formulate effective strategies for solutions and the prevention of new refugee flows and other uncontrolled population movements was repeatedly highlighted in view of the repercussions of such movements on political and economic stability at the national, regional and global levels.

8. Many respondents pointed to the inadequacy of fragmented national approaches to such issues and recognized the need for comprehensive approaches on a regional and/or global basis to the problems of refugees, returnees, internally displaced persons and migrants. The viability of such approaches, it was repeatedly pointed out, was, however, predicated on international cooperation and solidarity.

9. A number of respondents drew attention to the wide range of existing multilateral forums dealing with refugee and migratory movements. The proposal for an international conference, it was suggested, had to be examined in the context of existing mechanisms and mandates. The work of the General Assembly, UNHCR, the Council of Europe, the Conference on Security and Cooperation in Europe, the International Organization for Migration and the representative of the Secretary-General on internally displaced persons were cited in this context.

10. Many replies from Governments specifically drew attention to the consideration being given to the question of migration and/or refugee movements in the International Conference on Population and Development and the World Social Summit, to be held in 1995, and stressed the need for coordination between these conferences and the initiative proposed in resolution 48/113. A number of respondents were of the view that the outcome of these deliberations (particularly those of the International Conference on Population and Development) should be awaited and assessed before resorting to new initiatives. One respondent stressed that the International Conference on Population and Development had produced, as part of its programme of action, the first universally agreed, comprehensive set of migration policy objectives. It further noted that a proposal had emerged from the proceedings of the Conference for a conference on migration and development and felt that a conference such as the one proposed under resolution 48/113 could become the vehicle for a comprehensive review of global migration, once concrete achievements and specific needs had been assessed at national and regional levels.

11. Of the 31 Governments responding to the request by UNHCR for their views, 12 were clearly in favour of an international conference. Many of them underlined the global scope of refugee and migratory movements and the need to develop new strategies and mechanisms.

12. Among those who endorsed the proposal for a global conference, one respondent recalled that the World Conference on Human Rights had recognized the necessity of a comprehensive approach by the international community in coordination and cooperation with the countries concerned and relevant organizations, bearing in mind the mandate of UNHCR. The refugee crisis, the respondent argued, required a range of exceptional measures including preventive action to forestall mass coerced displacements of populations as a result of violation of their rights and lack of basic conditions for their secure

existence. Also needed was joint action to stop illegal migration and with regard to other types of migration towards countries with higher standards of living. Moreover, it expressed the view that consideration of the whole range of refugee and migrant problems would help to invigorate the work of the existing international mechanisms and expand the role of regional institutions in a spirit of international solidarity. In respect of the methodology of the conference it stressed the need for careful preparation and argued in favour of combining a universal approach, involving the organization of preparatory meetings, and a regional/subregional one involving the formulation of agreed positions and measures within a narrower geographical framework.

13. Another respondent favouring the convening of a global conference felt that the conference could usefully focus on such issues as migration and development and examine political, economic and cultural phenomena underlying migration, as well as external pressures beyond the control of countries of origin. In the view of the same respondent, the conference could examine ways of eliminating discriminatory practices against refugees and providing special support for vulnerable groups. The same respondent suggested that the conference should seek to revise the terms of the 1951 Convention relating to the Status of Refugees in order to make it a comprehensive, balanced and impartial instrument.

14. Yet another Government reiterated its interest in mobilizing international political support for concerted and comprehensive action on global migration issues and supported the idea of a United Nations migration conference if the conditions were in place to ensure that such a meeting could achieve progress towards an orderly and humane migration regime at the global level. It felt that a first step in that direction was to ensure the success of regional efforts towards comprehensive migration strategies. Not until such regional processes are seen to bear fruit, it felt, can a global conference hope to achieve concrete results.

15. Several Governments that favoured the convening of a global conference stressed the need for thorough preparations as a prerequisite for its success.

16. Other respondents favourably disposed to the idea of a global conference also stressed the need for thorough preparation and for a clear definition of the aims of the conference so as to ensure the adoption of concrete conclusions. One respondent suggested that the broadly defined aim of the conference should be to develop new measures to address population movements resulting from ethnic conflict, as well as practical application of principles of international solidarity and cooperation. The conference might also, it suggested, look at the concept of "safe country" and measures to prevent repeated applications for asylum. The same Government argued that it would be necessary to seek ways to eliminate, at least to a certain extent, the complexities of the global conference, which were characterized by diversity of participants and interests, and suggested that the possibility of establishing a preparatory committee should be considered. Another Government suggested that a conference should look not only at solutions to the problems of refugees but should also mobilize international support for host countries. Yet another stressed that the conference should lead to the adoption of practical measures conducive to durable solutions and suggested that it might consider additional multilateral instruments in this regard, including an extension of the 1951 Convention to

cover other categories, notably the internally displaced. While favouring a global approach, the same Government pointed out that the political will of participating countries to tackle root causes of regional and ethnic conflicts, poverty, social decline and underdevelopment was a prerequisite for success. Yet another Government felt that the conference should consider ways to expand the mandate of UNHCR to render assistance to States in relation to economic refugees/migrants, asylum-seekers, displaced persons and returnees. In endorsing the idea of the global conference, one respondent specified that it should exclude the issue of Palestinian refugees.

17. A majority of the 31 Governments responding expressed varying degrees of reticence concerning the idea of convening an international conference. Issues, it was pointed out by several respondents, were not identical in different parts of the world; past experience, one of them remarked, had confirmed that such conferences tend to produce little or nothing in terms of adequate and speedy actions. Yet another pointed to the diversity of causes underlying contemporary problems of displacement and to the heterogenous nature of the target group addressed in resolution 48/113, arguing that, for analytical as well as for political and legal reasons, they were better considered separately. According to one respondent it was hard to see how an international conference which tried to encompass all the diverse aspects of international movements could be sufficiently focused to result in meaningful discussion and practical solutions. Several other respondents also felt that a global conference would not be able to find solutions to the host of problems associated with refugees and migrants, and expressed a preference for a more focused regional approach.

18. Others, while less categorical in their views, were reluctant to envisage the convening of a global conference within a short time-frame. One respondent felt, moreover, that a global conference would require greater understanding of the underlying issues involved and felt it would be useful only after more detailed consideration of the Secretary-General's Agenda for Peace and Agenda for Development had progressed.

19. In view of the complexity of refugee and migratory movements world wide, a considerable number of respondents expressed a strong preference for regional approaches as a more promising alternative to a global conference and more likely to lead to tangible results.

20. In its reply, one Government stressed that the real problems and needs of the displaced could be better addressed by a group of countries and agencies facing similar challenges. Another underlined the need for solution-oriented approaches in which the methods of cooperation and the choice of measures were adapted to each individual situation. A regional or subregional action-oriented approach based on a shared perception of the problems by host countries, countries of origin, other interested countries, non-governmental organizations and international organizations and directed at the adoption and implementation of comprehensive approaches, would, it argued, prove more effective than a world conference, given the diversity of the problems involved.

21. A number of respondents pointed out that the merits of regional approaches had already been demonstrated by the International Conference on Central American Refugees and the Comprehensive Plan of Action for Indo-Chinese

Refugees. Regional conferences, it was felt, could apply comprehensive approaches to specific groups and categories so as to address their problems in a holistic way. One respondent stressed, however, that regional conferences could only be supported if priority was given to regions hosting the largest number of refugees.

22. A number of respondents specifically welcomed the High Commissioner's initiative to develop a comprehensive approach to the problems of displacement in the countries of the former Soviet Union, involving analysis of the situation within and among the countries of the region, with attention to root causes, prevention, emergency responses, preparedness and solutions.

Responses from intergovernmental organizations

23. Responses from intergovernmental organizations echoed those of Governments in respect of the complexity of current problems of displacement.

24. Of the 12 intergovernmental agencies that responded, 2 expressed strong support for a global conference. Two others saw distinct merit in the idea of convening such a conference, both of them stressing the need to define terms of reference and to undertake careful and detailed preparatory work through, inter alia, regional or thematic meetings.

25. A number of other respondents expressed a strong preference for action-oriented regional approaches. While some did not exclude an eventual global conference to be prepared through regional meetings, others favoured a more cautious step-by-step approach, with the results of any regional meeting to be assessed before deciding upon a global conference.

Responses from non-governmental organizations

26. Of the five non-governmental organizations that responded, two expressed support for a global conference. One expressed the view that the diversity of the issues and the regional situations involved were so distinct that a global conference might be too general and abstract to be of significant practical value. Another favoured a regional approach, at least in the first instance.

Regional initiative of the Office of the United Nations High Commissioner for Refugees on the Commonwealth of Independent States and the Baltic States

27. In recent years, UNHCR has stressed the importance of comprehensive regional approaches to problems of displacement and has developed a number of action-oriented initiatives in response to regional problems. Notable among these have been the International Conference on Central American Refugees and the Comprehensive Plan of Action for Indo-Chinese Refugees.

28. More recently, the magnitude of actual or potential refugee movements and other forms of involuntary displacement in the Commonwealth of Independent States (CIS) and the Baltic States has been a cause of increasing concern. In parallel with consultations on resolution 48/113, UNHCR has, therefore, launched an initiative to promote and develop a comprehensive strategy to address the situation in that region.

29. Drawing on previous regional initiatives, the Office has proposed a series of consultations leading to an international conference on the region that will be held in 1995. Further deliberations on General Assembly resolution 48/113 will need to take account of this regional initiative, which is in accordance with the preference expressed in the majority of the responses received from the Governments and organizations consulted on that resolution.

Coordination within the United Nations system

30. It should be noted that problems related to population displacement involving refugees, internally displaced persons and returnees are also addressed within the framework of the Inter-Agency Standing Committee established pursuant to General Assembly resolution 46/182 of 19 December 1991. The Inter-Agency Standing Committee has set up an Inter-Agency Task Force on internally displaced persons. The objective is to identify ways and means for the international community to provide timely and speedy humanitarian assistance and support to the countries affected by internal displacement. In this context, account is taken of the complementarities of mandates and expertise of relevant organizations in providing humanitarian assistance and protection to internally displaced persons.

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